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MESSAGE

OF

GOV. F. R. LUBBOCK

TO THE

EXTRA SESSION

OF THE

NINTH LEGISLATURE

OF THE

STATE OF TEXAS,

DELIVERED, Feb. 5th, 1863.

RECORD DIVISION
REBEL ARCHIVES
WAR DEPARTMENT

AUSTIN:
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1863.

MESSAGE OF GOV. LUBBOCK.

EXECUTIVE DEPARTMENT,
AUSTIN, TEXAS, Feb. 5th, 1863.

Gentlemen of the Senate, and House of Representatives:

It being my duty to convene the Legislature in extraordinary session, when deemed essential for the public good; I have called you together, at this momentous crisis, to receive your aid and co-operation, in the adoption of such additional measures, as may be esteemed of vital importance to the country.

Since your adjournment, the war has been prosecuted by our vindictive and remorseless enemy, with all the means and energy at his command. Failing in the clash of arms and shock of battle to conquer and subdue our people; no expedient, however miserable, contemptible and despicable, has been left untried by him, to induce the citizens of the Confederate States to throw off their allegiance to the Government of their choice, and espouse a cause they detest and abhor. Whenever the fortune of war has placed any portion of the Confederacy in his power; after exhausting every means of persuasion, without success, to bring the people "back to their allegiance;" he has resorted to the most unjust, oppressive and cruel measures—confiscations, imprisonments, and even the taking of life itself. Yet, under all these trials, our citizens, with but few dishonorable exceptions, have remained true and loyal to the Confederacy.

From the very commencement of the war, there has been a studied purpose, on the part of Mr. Lincoln's Government, to Africanise the Southern Confederacy; which fact is now most plainly developed in his Proclamation of the 22d September, 1862; in which he declares, that "all slaves shall be free in the States or parts of States found in rebellion after the 1st January, 1863;" and which Proclamation has been approved and sustained by the U. S. Congress, now in session, by the following resolution:—

"*Resolved*, That the Proclamation of the President, dated Sept. 22d, 1862, "is warranted by the Constitution; that the policy of emancipation as indi "cated therein, is well adapted to hasten the restoration of peace; is well "chosen as a war measure, and is an exercise of power with a proper regard "to the rights of citizens and the perpetuity of a free government."

I am pleased to see the views the President of the Confederate States has taken of this most iniquitous paper, in his late proclamation of outlawry against that hateful and disgusting renegade, and traitor-democrat, known as the "Beast Butler;" of whom it has been well said, "*He has disgraced the "Government, for his Government is great enough to be just; he has disgraced his "country, for his name barbs the scorn of foreign enemies, and justifies the severity "of foreign friends; he has dishonored the Chief Magistrate by prescribing him "to ministers of the gospel as the subject of their compulsory prayers; he has dis- "graced his sex, for not even women have been exempt from his cruelty. If it is "possible, he has disgraced himself, for the most subservient tool of Southern men,*

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"*and subservient lauder of Southern Institutions, has become their most assiduous* "*enemy, seeking a place for the heel of power, where once he looked only to lick the* "*spittle of servility.*"

I trust your Honorable Body will fully endorse the action of the President, and sustain the Confederate Congress in every measure of retaliation that may be adopted against our foes, who are, in effect, fighting us under the blackest and most damning of all flags—a flag upon whose folds is inscribed their intention and desire to incite to servile war.

While I recognize the right of the Confederate Government to dispose of prisoners of war, taken by its armies; and while it would be impolitic and unadvisable for the State to interfere therewith; I yet think that, where parties are taken upon our soil, committing murder and arson, and inciting to rebellion our servile population, the plea that they are soldiers of the United States Government, should not be allowed to save them from the same summary punishment as would be visited upon our own citizens if convicted of the same nefarious crimes.

As Texans, we should feel that He who ruleth in the Heavens and upon the Earth, hath protected and shielded our State from the iron heel of despotism and tyranny; from the lust, avarice, murder and rapine, that have followed in the footstep of the invader, and been so deeply felt by our suffering sister-States. Could we but forget the heavy and irreparable loss of brave and devoted soldiers, sustained by Texas upon every battle field, we might congratulate ourselves that, thus far, the evils of the war have not pressed heavily upon us.

In almost every important battle, our arms have proved triumphant. I am proud of the conviction, that our Texans, elbow to elbow with their Confederate brothers in arms, have been conspicuous in every encounter. No troops have proved more gallant and chivalrous: high praise has been awarded them by the President, their Commanding Generals and the people, the evidence of which exists in the Executive office. It is too true, we have to mourn the loss of many—alas! too many—of our best and bravest!—let us, however, hope they have not died in vain—that for every drop of blood so shed in the cause of freedom, an armed man will spring up to do battle in this great struggle! Let us cherish the memories of these heroes, and ever bear in remembrance, that it was for our country and for our liberties, they yielded up all that was dear to them upon earth. When peace shall have been restored to our fair land, let their ashes repose in the bosom of the State they loved so well, and upon whose name their deeds have shed so imperishable a luster! Let a hundred columns mark the spots where rest their ashes, the tribute of a grateful people, proud of their deeds!—and let them re-count to our children's children, the names of the patriots who yielded their lives, a willing sacrifice, upon the altars of liberty!

THE MILITARY BOARD.

At your last Session, you created a "Military Board," composed of the Governor, Comptroller and Treasurer. Immediately after the passage of the Law, the Board entered upon the discharge of their duties, and have continued up to the present moment, with all the energy and ability they possess, to carry out the intentions of your Honorable Body. In consequence of the scarcity of material; the great number of patriotic Artisans and Mechanics, as well as laborers, who have flown to arms in defence of the country; they have encountered almost insurmountable difficulties. Much, however, has been done by them, to place the State in a better posture of defense, than existed at the period of your adjournment. They have purchased and procured every gun possible; made several contracts for the manufacture of small-arms, which are now being rapidly perfected; established, and placed in successful oper-

ation, a Foundry for the casting of cannon; are successfully working a Percussion Cap Factory; aided in the manufacture of Gun-powder; and all else, in their views, calculated, at this time, to benefit the country; they have, also, introduced into the State many articles of prime necessity, including a large amount of Powder, Lead, and other munitions of war and contracted with parties to import articles indispensable to the people.

The Board, also, purchased and improvised the steamboat "Bayou City" for the protection of Galveston Bay; and, after her completion, transferred her to the Confederate Government, saving to the State her cost and expenses, and contributing thereby, on behalf of the State, very material aid, in the daring and ever-memorable success, in the capture of the steam vessel-of-war, "Harriet Lane," and the rescue of our beautiful Island City from the grasp of our hated foe.

They also purchased, and loaned to the Confederate Government, for use within the State, the two elegant and servicable Nichols' Guns, manufactured by a skillful citizen of Galveston, after whom they were named; and it is not without gratification they remark, that these guns recently caused the blockading fleet off Galveston to haul off, and take position at a very respectable distance from shore. The manufacture of this class of guns should be encouraged.

I might say much in regard to the labors and action of the Board: it is, however, deemed best not to enter into details, at this time:—suffice it to say, that I have found my colleagues ever ready to afford me every assistance, in defending and advancing the interests of the country. Every important act of the Board has been the united act of all.

I most respectfully ask, that a Joint Committee be appointed to examine, and report upon, the action and business entrusted to the Board; this will be the best mode of determining as to its usefulness, the benefits resulting to the State, and the propriety of its continuance. I can assure your Honorable Body that its labors have been most arduous.

REPORT OF THE ADJUTANT AND INSPECTOR GENERAL.

I respectfully call your attention to the Report of the Adjutant and Inspector General; in which you will find the details connected with his Department, and the duties performed under the law since your regular session, and also many valuable suggestions.

In consequence of the large requisitions made upon the State for men by the Confederate Government, and the great disposition of our citizens to engage in the war, the State military organization has been almost destroyed. The labor in his office has been very arduous, and I trust, in many respects, resulted in material benefit to the State. The labor in collecting and repairing arms; receiving and distributing munitions; organizing and placing in the field the Frontier Regiment; and in filling the requisitions of the Confederate Government, has been immense.

On the 21st December, 1861, the Act was passed "for the protection of the frontier of the State of Texas." The first company enrolled under said Act, (that of Capt. Thomas Rabb, of Karnes county) on the 24th January, 1862, reported in camp awaiting orders.

On the 29th and 30th of the same month, the Field Officers were placed on duty, and the Companies of the Regiment in position by the 15th of March, at the several posts established on the line designated by the Colonel and approved by the Executive. The Regiment consisted of nine Companies; the tenth was not raised in consequence of the failure of the party appointed in El Paso and Presidio counties, to enroll the men; subsequently, from the best information I could procure, I deemed it unnecessary to station a Company in those counties; hence the tenth Company was not at that time raised.

In compliance with Section 7th of said Act, I immediately after the passage of the law, communicated with the Secretary of War and our members in Congress, urging their acceptance of the Regiment. I received assurance from our members that the Regiment would be received. The Provisional Congress passed a Bill for its acceptance, which was, however, vetoed by the President, on the ground that it could be accepted only unconditionally. It was again brought before the permanent Congress—passed the House, but defeated in the Senate. After much conversation on the subject, with the Commanding General of this Department, on the 1st October, ult., I was induced to offer him the Regiment for Confederate service; believing it would be continued in service on the line adopted for the protection of the Frontier, a duty properly devolving upon the Confederate Government, and that it would be an immediate relief to our Treasury. In answer to my proposition, the Regiment was agreed to be received so soon as they should be re-mustered, and some immaterial arrangements made. The arrangements for the transfer were about completed, when I received a communication indicating most clearly, that the present Commanding General, induced by an apprehension of an invasion of the lower Rio Grande, would forthwith withdraw five Companies of this Regiment, for service on the lower Rio Grande. Although, in accepting the Regiment, the Commanding General could make no terms with me as to its future disposition, I yet believed the Regiment would be retained on the line for the protection of the Frontier; consequently, when the fact was made apparent before the transfer, that a very large number of our Frontier counties would be immediately deprived of protection by said transfer —there being no Confederate troops on the line—I withheld my approval thereof, deeming it best to await your action.

This Regiment has performed good and efficient service, and been of great benefit. It has given the Frontier settlers confidence; many good men have joined the Confederate service, and gone beyond the limits of the State, leaving their families and property in the Frontier counties, because they had confidence in that organization, and believed the State was determined to protect its Frontier.

The Frontier counties, with their very sparse population, have nobly responded to the call of their country; they should be sustained. Unless protection be afforded them, the Frontier must recede and give way before the inroads of the Indians; for just so soon as you fail to keep up a system of defense in your outer counties, will they press forward upon the interior, murdering and robbing.

That it is the duty of the Confederate Government to protect our Frontier, there is, and can be, no question; but it must be borne in mind, that we are now engaged in a desperate war, and that the Government has need of every man she can procure to operate against an enemy more barbarous than the Indian; hence the necessity for the State authorities to look to the safety of her people on her exposed borders; they must be protected at all hazards, and at every cost Treasure must not be weighed against the blood of our women and children!

The Frontier Regiment has entered the service for three years or the war, preparatory to its transfer to the Confederate service. They are willing, and expect to be transferred, should it be the pleasure of your Honorable Body. With the exercise of the most rigid economy, the expense of keeping this Regiment in the field, up to this time, has been about $800,000.

I beg leave to suggest the following plan for the protection of the Frontier, in addition to what the Confederate Government may do: Let some twenty-five counties on a line from Red River to the Rio Grande be selected; appoint in each of such counties, a Captain and twenty men citizens of the

same, who will be sworn in as soldiers for the protection of the Frontier; pay to each of the Captains $750, and each man $500 per annum; these troops furnishing their own horses, arms and subsistence; appoint one or two Commissioners, whose duty it shall be to travel along the line, receive reports as to the management of the Companies, their efficiency, and the protection they afford, paying off the Companies, and exercising a general supervision over the line.

This plan would give about 500 men; would not cost the State a sum exceeding $300,000 per annum, about one-fourth of what it will cost, at the present enormous prices of subsistence, &c., to keep a Regiment like the present in the field, and would, I believe, give protection and satisfaction to the Frontier settler.

It would take but a short time to perfect this system of defense. We could then turn over the present Regiment to the Confederate Government, without much risk; and whenever that Government placed upon the Frontier a force adequate to its protection, we could disband any organization the State might have in service.

Should you resolve to retain the Frontier Regiment in the State service, some amendments of the law creating it could be made, which would add to its efficiency.

In re-mustering the Regiment for three years or the war, expecting as I did to transfer it to the Confederate States, I waived the power of appointment vested in me by the law, and gave to the men the election of their Field Officers. I conceived it would prove more satisfactory, and it was a right they would have had in re-organizing a new Regiment for Confederate service. I am pleased to say, that in my judgment, they made a very good selection of officers.

It is with profound regret and mortification I am compelled to inform you of the untimely death of Lt. Col. A. T. Obenchain, late of the Frontier Regiment. He was unquestionably murdered; and the supposition is, by his escort, two men named E. F. Whatley and Rector Stockton, privates in Capt. Cureton's Company, I, Frontier Regiment.

Every effort has been made to arrest these two parties, supposed to be his murderers, but thus far, without avail.

STATE TROOPS.

In consequence of the large number of volunteers who have crowded to the Confederate standard since the passage of the Act of December 25th, 1861, "to perfect the organization of State troops, and place the same on a war footing," and that of the several Conscript Acts, taking all between the ages of 18 and 45 years of age, the entire Military force of the State has become almost wholly disorganized.

I have recently experienced much difficulty in filling a requisition made upon me for 5000 State troops for three months service for the defense of the State. I beg to call your attention to the Report of the Adjutant and Inspector General on this subject, and particularly to his suggestions: that all persons capable of bearing arms from the age of 16 to 60 years of age, be enrolled. There is no good reason why stout and able-bodied youths, and old men, should not be required to render service in defense of the State. It may become necessary to place in the Confederate service, every man from 18 to 45 and even to 50 years of age. We should, therefore, prepare to defend the State with the boys and old men.

You will also, upon examination of the Report, see the importance of effecting a change in the Military Law with respect to Commissioned Officers.

In filling the late requisition for 5000 troops, being fully aware that, in most instances, the Companies, Battalions and Regiments, were reduced to

mere skeletons, and that new organizations would have to be formed, I gave the men the privilege of electing the officers to command them in the field. It was impossible to assign a tenth of the officers to duty; hence I preferred this plan, trusting the officers would volunteer and accompany the men, taking their chances for election. Very few, however, did so; the rest claimed their exemption from draft, and requested to be furloughed. I have, under the circumstances, granted their requests.

I think, however, the law should be so amended as to make them liable to go into the ranks, whenever the Company to which they are attached falls below the minimum number, and which minimum should be raised considerably over the present number.

Early last Autumn, Brigadier Gen. Hudson, of the 21st Brigade, State troops, apprehending great danger from the Indians, who had risen upon the Indian Agent and other whites at Fort Cobb; fearing also at the same time, an invasion by Jayhawkers and Indians, and that an attempt would be made to seize and take possessson of ammunition held by Cook county, called into service three Companies of State troops, subject to the approval of the Executive, which was given, and the Companies were accepted into the Confederate States' service by Brigadier Gen. P. O. Hebert, the General Commanding in Texas at that time.

THE PENITENTIARY.

I respectfully solicit your attention to the workings of the State Penitentiary. This Institution has become a most important auxiliary to the Government, and is occupying a very prominent position in the public mind.

When I came into office, I found it largely involved; and although the debts due the concern were nearly equal to its liabilities, they were unavailable, while the latter had to be paid. I found, too, that a contract had been entered into by the officers of the Institution, with the sanction of my predecessor, with Irby Morgan, a Quarter Master in the C. S. service, stationed with what was then called the Army of the West, in Tennessee, for one-half of all the woolen and cotton goods manufactured, the contract to continue six months, with the privilege, on Morgan's part, to extend it six additional months. I discovered that it took the balance of the products to clothe the soldiers in this Department. It appeared, also, that a very large credit business had been done by the preceding Financial Agent. I instructed the present Financial Agent to sell entirely for cash; and althongh I was willing for the Confederate authorities to have what was needed for our soldiers, they, too, were to pay cash, or make payments at such stated periods as would enable the concern to be carried on advantageously.

Seeing that the goods obtained by Morgan were being sent out of the State; and knowing that the facilities for procuring cloth East of the Mississippi were more abundant than West of that river, I very soon directed the Financial Agent to notify Capt. Morgan that his contract could not be extended—that the necessities of the State forbade it, and that unless I had assurances that our Texas soldiers were receiving the benefit of his contract, I should stop it all. He readily agreed to my suggestions, and his contract expired in April last.

From that time, my orders have been imperative, that the soldiers of Texas be first supplied; after them, *their* families; and next, the actual consumer; but under no circumstances was a yard of cloth to be sold to retailers or speculators. I believed the best way for clothing our troops was through the various Quartermasters and Government Agents, who were bonded officers and charged with that specific duty; and hence I had their requisitions filled; and up to Sept. 1st, 1862, having investigated the subject, and made the calculation, I found the army had received three-fourths of all the woolen,

and largely over one-half of the cotton goods manufactured. It must be borne in mind that this is the only establishment West of the Mississippi river, capable of furnishing clothing, tent clothes, wagon-sheets and flour-sacking, &c., &c. The result was, that when the necessities of this Department and that of Arkansas were filled, but little was left to distribute among our people.

Entertaining the hope that the Institution might supply the wants of some of the people, I directed the Financial Agent, after supplying the army, to furnish the actual consumer what he could spare; and advised him to require of every such applicant an affidavit stating the goods were for his own use, or the use of those for whom he applied, and would not be sold or bartered. This I suggested as a safeguard against imposition, and for the protection of the honest citizen; and much was I astonished to learn that this course was objected to by many of those whose interests the rule was intended to secure.

As soon as this regulation became generally known, thousands of parties made application for cloth, and, of course, the great majority of them were doomed to disappointment, and were consequently dissatisfied. The Institution could not supply one fiftieth of these demands: the army had to be first supplied, which left but little to be divided among the people. About this time, as is evidenced by the records in my office, I was totally unable, without neglecting my other official business, to reply to the numerous letters received concerning Penitentiary goods; and was compelled in consequence, on the 9th August, 1862, to write a public letter to the Financial Agent in the following words:

EXECUTIVE DEPARTMENT,
AUSTIN, August 9th, 1862.

General Jno. S. Besser, F. A., State Penitentiary, Huntsville,

SIR:—I find it impossible for me to give attention to the many communications received in regard to the disposition of Goods manufactured at the Penitentiary.

I regret that the capacity of the Institution is not sufficient to supply the wants of the entire community.

As I have repeatedly said to you, *our Texas soldiers* in the service of the Confederacy and State must be first cared for. They are continually exposed to the vicissitudes of climate, weather, &c., and to make them efficient they must be provided with clothing.

After you have supplied their wants, then their families should be relieved to the utmost of your ability.

Next in turn should be provided the actual consumer.

While our country is in its present condition, not one yard of cloth should be sold to retailers or speculators

In regard to the details of supplying cloth, it must be arranged by you. I cannot undertake to act upon the many cases presented to me.

The officers of the Penitentiary are expected to discharge their duties promptly, faithfully, impartially, and efficiently, and they will be held to strict accountability for any dereliction of duty.

You can publish this letter for the benefit of the public, and adopt such rules, under the supervision of the Directory, as to the distribution of cloth, as will best subserve the public interest.

Yours, very respectfully,
F R. LUBBOCK.

This only caused many more applications to be filed, dooming the applicants still to disappointment. Shortly thereafter, I was induced to change the whole plan by letters of the most urgent and distressing character from Gens. Hindman and Holmes as to the condition of their troops in Arkansas; most

of whom were Texans. I did not, however, as has been said, give the control of the Penitentiary to Gen. Holmes, or the Confederate officers; but I did recognize his right to control the Quarter Masters in the Trans-Mississippi Department: believing that under his management, our Texas soldiers would be better and more speedily clothed, I gave him all of the goods manufactured at the Penitentiary for the present, reserving a sufficient amount of cotton cloth, subject to the orders of the County Courts of the State to clothe the indigent families of the soldiers in the service.

I think I did right. I said then that I hoped the troops would be benefited; and knowing, as I did, the suffering of our people at home for clothing, I urged Gen. Holmes to obtain supplies elsewhere, if possible, in order that the cloth might be distributed to the needy among our citizens. I also said that our people, although suffering, should recollect that while they were at home where shelter could be obtained, our brave boys were exposed to the cold blasts of winter as well as the iron hail of the accursed enemy; and that they should be willing for the soldier who was fighting their battles to be provided even to their discomfort.

Many have complained and said that the Institution should be run at night. I fully subscribed to this: but an investigation of the project satisfied me it would not do—the risk, if no other objection existed, would be too great. Others suggested that it should be run on Sundays: this, too, I found impracticable, for which many good reasons could be given.

It would be unreasonable to suppose that such an establishment as this, belonging to the State, in which every citizen imagines he has an interest, could, in its operations, in these times of distress and scarcity of every article of clothing, please generally. While I could not reasonably expect this, my sole aim has been to make it do all the good possible.

I believe that, through the untiring energy, skill and ability, of those directly in charge of the Institution, it will compare favorably with, if not surpass, the workings of any of a similar character in the Confederacy. I should think I was guilty of an act of injustice towards the Superintendent and Financial Agent did I not say this much.

The Special Report of the Financial Agent, furnished at my request for your information, is respectfully called to your attention.

It discloses that from the 1st day of December 1861, to the 31st December 1862, a period of thirteen months, there was manufactured of cotton goods 1,376,700,0 yards, and of woolens 211,151,2 yards, of the former of which was sold to the army 765,791,2 yards, and of the latter 184,241,2 yds., making largely over ½ the cottons and greatly exceeding ¾ of the woolens manufactured. The Lunatic Asylum received 602 yds. woolens, and 1,000 yds. cottons. The balance 589,217,0 yds. cottons, and 22,845,1 woolens were absorbed by the Factory, Penitentiary, clothing of the convicts, families of soldiers, and general supplies for the Institution.

The gross earnings of the Institution for the same period have been, - - - - - - - $467,529,20
The amount expended has been, - - - - 222,499,36
Special deposit with State Treasurer, - - - - 236,502,25
With a Cash balance on hand of, - - - - 8,527,69

The amount of indebtedness previous to Dec. 1st, 1861, which has been paid by the present Financial Agent, is $64,707,37, more than the amount received by him, due previous to that time. The amount of cash received by him upon taking charge of the Penitentiary was $36,80.

It will thus be seen that this Institution has been most ably, successfully and profitably managed, placing into the Treasury a very large amount.

The Military Board having been requested by the Financial Agent to do so,

and deeming it themselves of vital importance, ordered from Europe certain articles absolutely necessary to keep the Institution profitably in operation. It may become necessary while the war lasts, to empower the Directors to obtain, even at great risk, everything required to keep the establishment in good working order, and, if possible, to increase its productive capacity, so important to our army and people, provided they pay for such articles and necessary improvements out of the proceeds of the Institution.

There has been much said in regard to the bad management of the Penitentiary; and in some instances, charges have been made of unfairness, malfeasance, &c., on the part of some of the officers.

Under these circumstances, I consider it due to those officers and the people, that these things should be properly investigated; and if any officer, directly or indirectly charged with the management of the Institution, has been guilty of wrong doing, let him be held up to public scorn.

With this view, I beg of your Honorable Body to appoint a Joint Committee to examine into both the Financial and Mechanical workings of the Institution; and I trust you will pardon me for suggesting that the Committee be selected of experienced, practical business men, from different sections of the State, not residing in the immediate vicinity of the Penitentiary, and strangers to its officers.

Since penning the above, I have unexpectedly received a very interesting Report from the Directors, covering a Report from the Superintendent. These Reports contain much valuable information, and many important suggestions, which I beg leave to call particularly to your attention.

HOSPITAL FUND.

Immediately after the passage of the Law creating a Hospital Fund for the benefit of the sick and wounded Texas soldiers in the Confederate Army, I appointed Dr. R. T. Flewellen to visit the army in Virginia, and Dr. A. H. Rippetoe, the army in Kentucky. I placed in their hands the sum of $5,000 each in specie, with instructions to make exchange, whenever they deemed it to the interest of the Fund to do so.

Dr. Flewellen remained in Virginia but a short time, informing me that he did not believe his services there would compensate for the expense attending his stay—that our troops were there doing very well. After expending a small amount for the relief of certain Hospitals, that had contributed to the comfort of our men, relieving the wants of some of our soldiers, and depositing with the Colonels of the 1st, 4th, and 5th Texas Regiments, the sum of $1,833 33⅓, each, for their use, he returned to Texas, and paid into the Treasury $708,55; the premium obtained on sale of specie was $2,366.

Dr. Rippetoe, I regret to say, was compelled to return home in consequence of ill health. During his short stay with our troops, he accomplished much good, relieving a large number of our soldiers. He realized $1,153 premium on account of specie sold, and returned to the Treasury $1,900 in specie, and $3,166 45 in Confederate Notes.

These two gentlemen made no charge except for actual expenses.

Deeming it best that permanent Agents should be with our troops, so far from their homes, kindred and friends, and that such was the wish of the Legislature; I appointed Dr. J. W. Fennell, instructing him to proceed to Virginia, to the army of Gen. Lee, or wherever else he might find our Texas Troops in that State, and to extend to them such relief as they might require; and, if deemed advisable, to establish a separate Hospital for the benefit of the Texas Troops. I placed in the hands of Dr. Fennell $14,500, and gave him authority to control the $5,500 deposited with the officers of the Texas Regiments in Virginia, making $20,000. Up to the 3d December, 1862, Dr. Fennell had expended the sum of $7,224 37—had in operation an Hospital

at Richmond, exclusively for Texans, and was being assisted in its management by the Confederate Medical authorities.

I appointed Dr. Louis A. Bryan, and gave him Fifty Thousand Dollars, with instructions to join what was, at that time, known as Bragg's Army, East of the Mississippi River, and charged him with the duty of looking after all Texans in that section of the country; authorizing him, if deemed expedient, to establish one or more Hospitals; one of which he located at Quitman, and another at Jackson, Miss., both being now in successful operation. At the time his last report was made, he had, under treatment, a very large number of patients; and although the C. S. Government is extending to him very material aid, his Fund is becoming rapidly exhausted.

On the 30th November, last, he had in Hospital 469 patients, and had expended of his Fund, the sum of $19,435 86.

After exerting myself for some time, I succeeded in procuring the services of Dr. George A. Feris, for the Texas soldiers in the Army of Arkansas, and placed in his hands the sum of $20,000; sufficient time has not elapsed, since his appointment, to receive a report of his operations.

I can assure the Legislature that they passed no law at their last session, likely to confer more benefits than the law creating the Hospital Fund. I fear, however, the appropriation will prove insufficient to sustain the Hospitals until the Regular Session. I therefore suggest, that an additional appropriation be made for this humane and generous purpose.

The ladies of the country, with that kindness of heart and marked patriotism, which has distinguished their conduct since the first gun was fired at Fort Sumpter; perceiving the insufficiency of the appropriation, and fearing our brave men—their fathers, husbands, brothers, lovers, and friends—might possibly, suffer for such comforts and necessaries, as the Government could not furnish; have, with a lavish hand, been adding to the appropriation. They have plied their needles, their wheels and looms; they have brought into successful requisition their musical and vocal powers, in aid of the Hospital Fund.

When the future historian of this war shall recount the deeds of heroism, of which it has been so fertile, how brightly beautiful must the patriotism, self-denial, and courage of the women of the Southern Confederacy appear. They will descend to posterity peerless among women!

THE CURRENCY AND HIGH PRICES.

Many are the reasons given to account for the great depreciation of Confederate Treasury Notes, and the high prices asked for every article of prime necessity in the country. The people will look to you with hope, not unmingled with anxiety, to solve this difficult problem, and to the measures you will adopt, to enhance the value of the currency, and, thereby, reduce the enormous prices demanded for everything bought and sold within the State. My impression is, that the large amount of Confederate Treasury Notes in circulation, and our proximity to a people entirely specie-trading, with whom is our almost sole commercial intercourse, are the chief causes; and, in order to effect a speedy and favorable change, it is essential that a large amount of the Treasury Notes of the Confederate States be, at once, withdrawn from circulation. To aid in effecting a result so desirable, I hope the Confederate Government will, without delay, proceed to the imposition and collection of a larger tax, and encourage the funding system, even should it be necessary, to effect that result, to increase the rate of interest. Congress should, also, amend the Sequestration Act, so as to collect the large amounts due. Never will a more favorable time occur for the debtors of the Government to liquidate the demands against them. The State tax should also be raised to double its present rate; there never was a period when our people were so able to

pay their taxes, as at present, when money is so abundant, and property of every kind bringing such enormous prices.

Another measure, whose adoption would aid in sustaining the currency, is, the compulsory withdrawal from circulation of corporate and individual shin-plasters under most prompt and severe penalties. I am of opinion that it would be best for Counties to borrow what money they may need, on their Bonds, and withdraw all their change-notes from circulation, leaving the Confederate Treasury Notes, and such Texas Treasury Warrants as may be out, to serve the purposes of circulation and change. Were this done, I believe it would be attended with a good effect. I feel satisfied your Honorable Body will leave nothing undone, you can legally do, to sustain the credit of the Government; for, upon that credit depends, perhaps, the success of our present struggle for a separate existence.

There may be those among us who willfully depreciate our currency; I trust they are but few in number, and, like the traitors in our midst, constitute but rare exceptions. Should there be citizens in the country refusing to receive the currency for debts contracted in the due course of trade, and, who, holding large amounts of interest-bearing paper for better times, expect, at the termination of the war, through the action of the Courts, to sell and sacrifice the property of their neighbors for specie; I trust the Legislature will so change the remedy as to save our people from bankruptcy and ruin.

It is the opinion of many distinguished Jurists and Statesmen, that the Confederate Congress has the right to make the Treasury Notes of the Government a legal tender; if this be so, now is the time for such action. I should be pleased to see you express an opinion on this point.

PROVISION FOR THE FAMILIES OF THOSE IN THE SERVICE.

I beg leave to call your attention to the absolute necessity that exists, of making further provision for the support of the families of those in the service. I am aware the Counties have been very liberally providing for them, thus far. It is, however, useless to disguise the fact, that this burden upon them must daily increase with the continuance of the war; and should the contest be prolonged to the end of the year, it will be necessary that thousands more of our citizens take the field, thus increasing the number of families in every County to be provided for. In addition to what the Counties may do, I am of opinion the State should make a most liberal appropriation for this purpose. The troops in the field are the soldiers, not of a particular County, but of the entire State; and it would be but equitable, that the State provide for their families. This plan would also seem just in another view: many Counties with the smallest populations are the most wealthy; they furnish but few soldiers, consequently, while other small tax-paying Counties have a large excess of men in the field, and, therefore, many more families to provide for; hence it seems but just, they should be cared for out of the public Treasury. I am wedded to no particular plan, by the operation of which the relief sought is to be afforded; but I most earnestly advise that ample provision be made to ward off distress from the families of those who are so nobly serving their country. That there will be destitution among them, unless such provision be made, there can be no doubt.

In connection with this subject, I believe that authority should be lodged somewhere, so that, in the purchasing of articles for the purposes indicated, if the parties having them—particularly breadstuffs, meat, &c.,—refuse to sell at a fair price, for the currency of the country, the goods should be liable to seizure and appraisement.

THE CULTIVATION OF COTTON TO BE LIMITED, AND THE GROWTH OF CORN TO BE INCREASED.

I desire to call your attention to the great necessity that exists for limiting,

by Legislative action, the planting of cotton during the existence of the war. It is undeniable that, upon slave labor, both our armies and the families of our gallant soldiers, depend for subsistence. A very great majority of our laboring white population are in the field, or will be there. Our lands, too, cultivated by white labor, cannot, with certainty, be relied upon to produce corn, in consequence of the uncertainty of the seasons, in those sections of the State where this species of labor predominates—hence, we are reduced to the necessity of looking to the rich bottom lands, cultivated by the slave, for a supply of corn adequate to the future demand; and to secure a sufficiency, less cotton must be planted. If we expect our troops in the field to remain content, they must feel that those at home, their wives and little ones, are cared for. The cotton planter should not be permitted to place in cultivation more than a given number of acres—I would suggest three acres to the full hand—if he exceed that amount, he should be condemned to pay at least $500 per acre. The quantity of cotton thus raised would be amply sufficient for all purposes; would bring the planter a large return, and leave land enough to supply the country bountifully with cereals; the planting of which, in abundance, should be required of every planter and farmer.

It may be urged, that such Legislative action would be an unjustifiable interference with a legitimate calling. I will, in reply, simply say, that "self-preservation is the first law of nature;" and the axiom may, I presume, be with propriety applied to communities and States, as well as to individuals; and I am convinced that, unless some such course be adopted, there will be famine in the land; the cry for bread will be raised; suffering will ensue; and the bold and true hearts, gallantly fighting the fight of liberty, will be bowed down and dispirited. Let me, therefore, urge upon your Honorable Body, to give this matter your most serious attention, esteeming it, as I do, of supreme importance.

DISTILLERIES.

In connection with the foregoing subject, it is, with regret, I call your attention to the very large number of Distilleries now in operation, and being put in operation, within the State:—the numbers that have sprung into operation, since the commencement of the war, might be deemed fabulous. On the 28th day of May last, I issued a Proclamation, ordering all such establishments to be closed; deeming it of supreme importance to preserve the grain for the use of the army and people, and save our soldiers from the pernicious effects resulting from the use of intoxicating liquors. I was, at the same time, convinced that, in portions of the State, the crop would fall very short—a conviction, subsequently, fully verified. Upon the issuance of that Proclamation, most of the parties having distilleries, desisted from their use; although some, I am informed, persisted in distilling. I directed the Brigadier Generals of the Militia to enforce the Proclamation. In one instance, the Brigadier, and all others, including the Executive, were enjoined from interfering with the Distillery of the party who sued out the injunction: and, inasmuch as I had concluded, at the time service of the writ was made upon me, to convene your Honorable Body, and as there appeared to be some doubt as to my authority to suppress them, I determined to submit this matter for your consideration.

It is well known, that these establishments daily come into competition with the County Courts, and with individuals charged with the duty of providing for our poor, and the families of our soldiers; and that, in some sections of the State, they have been the cause why the price of corn has risen to double its value.

The demoralizing effects of these Distilleries, both upon our troops and people, are terrible; and I entreat you, in the name of the mothers, wives and

children, of those brave and noble spirits, now far from their homes in the armies, and who look to you to guard and protect them, to suppress this outrageous consumption of grain, and iniquitous traffic, until peace is concluded.

My conviction is, there is but one way to effect it. The Executive must be invested with authority to close them by Proclamation, and, if disregarded, he must be empowered to do so by means of a military force. The party who violates the Proclamation, should also be liable to prosecution, and subjected to a heavy fine and imprisonment—a fine, alone, would be insufficient—the enormous profits of the traffic would enable the party easily to satisfy it.

Heavy penalties should also be imposed upon persons introducing into the State, during the war, intoxicating liquors, unless by special permit, for Medicinal purposes for the use of the Army Hospitals. It may be urged, that some Alcohol is necessary for Medicinal purposes: if so, let proper restrictions be thrown around contracts made for that purpose.

I am informed by intelligent chemists that a most excellent quality of Alcohol can be distilled from the Sorghum, or Chinese sugar-cane, and I know it can be more easily grown in our State, and with a greater degree of certainty, than any of the cereals used in distillation.

EXTORTIONERS AND MONOPOLIZERS.

That there are persons in the community who live by extortion and monopoly, there can be no doubt. Is it in our power to reach them? If it be, let us not hesitate a moment, but push straight forward to the work. They are now the worst enemies we have, because they croak and complain—make their purchases with gold—abuse and depreciate the currency, so as to obtain immense profits—re-invest, and so continue,—never satisfied with their increased gains. The monopolizer has nought for sale, until he sees a favorable opportunity to dispose of what he has, at most enhanced prices, ruinous to the purchaser.

I regret to say, that I have been informed, on many occasions, that the trader and speculator is not the only extortioner and monopolizer in our midst; but that many of our planters and farmers are to be included in the same category.

In the language of President Davis, "they are men who can be reached by "no moral influence, and are worse enemies of the Confederacy than if found "among the invading forces. The armies in the field, as well as the families "of the soldiers, and others of the people at home, are the prey of these "mercenaries, and it is only through State action that their traffic can be "suppressed. Their condign punishment is ardently desired by every pa-"triot."

SLAVES FOR LABOR ON FORTIFICATIONS, &c.

It may become necessary, from time to time, for the Confederate, as, also, the State authorities, to require the labor of adult male slaves on public works of defence. I would, therefore, most respectfully suggest, that a law be passed to enable the Government to command this species of labor, when necessary; and that a system be inaugurated which, in its operation, will bear equally, and as lightly as possible, under the circumstances, upon the people. A small per centage of the slave population would suffice.

CITIZENS VOLUNTARILY ABSENTING THEMSELVES FROM THE STATE DURING THE WAR, &c.

It has been truly said, that "every citizen is bound to serve and defend the State as far as he is capable." None are naturally exempt from the performance of this duty by reason of age or infirmity; all are capable, in some way, of being useful; the healthy and strong of bearing arms, and the infirm of doing hospital duty, and of aiding the families of those who are in the

army, and of sympathizing with, and giving aid and comfort to, the cause in which we are engaged. There are higher and nobler duties to perform than simply to live up to the law, to pay taxes, and hire a substitute when called on to serve in the army—the duty of giving the whole heart and means to sustain the country in its heroic struggle!

What, then, must be thought of those persons who, without sufficient nerve to take an active part against us, either remain here, sullenly discontented, or secretly doubting the success of our arms, and sowing the seeds of discontent in the minds of the weak and irresolute?

What must be thought of those who have left the country to avoid a participation in the struggle, expecting to return and join the successful party? Is there no way by which the latter class can be reached? I respectfully suggest to the Legislature the passage of a law, notifying such persons to return to the State in a given time, and that their failure to comply, shall subject them to forfeiture of lands and of citizenship, and of the right to become citizens.

Another class of persons who are derelict in duty, it is incumbent on me to bring to your notice. The State has not only been the Asylum for the oppressed of every country, but foreigners have been kindly invited to become citizens of the State; and, so far has the encouragement been extended, that upon simply making the declaration, upon oath, of the intention to become citizens, they are entitled to take and hold real estate. It is my stern duty to state, that I believe many of the persons who have accepted the privileges thus offered, have refused, when called upon, to render military service, and have sought and obtained the aid of their native Governments to exempt them from it.

The right to hold and enjoy real estate should be denied to all such persons, and they should forever be rendered incapable of becoming citizens.

THE CONSCRIPT LAWS.

In April last, the Confederate Congress, after much investigation, discussion and deliberation, passed with the utmost unanimity, the Act known as the Conscript Law. Very soon after its passage, I was called upon by the General Commanding the District of Texas, to aid in carrying into effect its provisions within the State of Texas, in accordance with its terms. Viewing the Law as constitutional, and convinced that the necessities of the country imperiously demanded its prompt execution, I stopped not to discuss the good or bad policy of its enactment, but at once accorded permission to the Confederate Commander of Texas, for his employment of State officers, to aid in carrying out its provisions. Under this Law, requiring the enrollment of persons between 18 and 35 years of age, very few were taken: those subject immediately volunteered, thereby swelling the ranks of our armies with great rapidity. Regretting that even one citizen of Texas should have placed himself before the courts in opposition to the law, I am yet happy to say, that the Supreme Court of Texas, and of other States, have fully sustained my views of the law, in deciding it to be constitutional. Whilst acknowledging the right and admiring the zeal of every citizen, in adhering to, and guarding the rights of the States; and whilst fully appreciating the necessity of preserving unimpaired the rights and dignity attached to a sovereign State; and that it is the duty of the people of the States to see that the Agent appointed by them does not abuse, or attempt to abuse, the powers and rights inherent in the States (for this is the doctrine of the political school of which I am a disciple) yet I recognize the fact, that we are engaged in a most desperate and critical struggle; a struggle, upon the result of which, must depend our existence as a people, and which is fraught with all we hold dear of life, liberty and honor. To insure success, unity of purpose and action is abso-

lutely neccessary between the Confederate and State Governments: hence it follows, that every act of any citizen or citizens, calculated to weaken the influence of the Government or its officers with the people, is, in my judgment, giving (although it may be unwittingly) aid and comfort to the enemy. Therefore, since my elevation to the Executive Chair, my great aim has been to aid and co-operate with the Confederate authorities, in all things tending to a proper and vigorous prosecution of the war.

I have had no desire to render myself conspicuous by disputing with the civil or military authorities of the Confederate Government on immaterial points; but, in every instance where there has been an apparent interference with the rights of the State, or an encroachment upon the functions of the Executive, and the attention of the proper officer has been drawn to it, the cause of complaint has been promptly removed. In military matters there should be one sole head. Under the Constitution and laws, I recognize President Davis as that head: and while he conducts his administration in conformity to the Constitution and laws, he should be sustained and supported by the officers, both State and Confederate, and by the people. Acting upon these views, I have thus far been enabled to work in harmony with the Confederate authorities. I have succeeded in inducing the Government to keep in the field within our State, troops adequate to its defense. In filling the various and large requisitions for men made upon me, I have so managed as to furnish the requisite number with but a very trifling outlay on the part of the State, thereby preserving our credit, which may be yet needed for a more vigorous prosecution of the war. In this connection I will remark, that from within two months after my inauguration to the present time, I could, in the opinion of a vast number of our citizens, have, with propriety, thrown into the field a force of from five to twenty thousand men. I had no such ambition, unless in connection with imperious duty, and the danger were imminent and pressing. The adoption of such a course would have incurred a debt of millions, exhausted the resources and credit of the State, and up to this time, have effected nothing but heavy expense and increased distress among the people. Had I placed such a force in the field, the Confederate Government would have been justified in withdrawing its troops from our borders, leaving us dependent upon the State troops for our defense and protection. I am firmly convinced that, to be successful, unity and harmony is essential. God, in his infinite mercy, forbid that we shall ever witness a time, in this struggle for existence as a Confederacy, when the Legislatures or Governors of the several States shall attempt to determine the number of troops they will furnish, or to decide when and where they are most needed, the manner in which the campaigns are to be conducted, and battles fought! Whenever such a course is decided upon, and that policy inaugurated, then, indeed, may we tremble for the result. No! each and every State must give a cordial and determined support to the Government. The war is waged for the interests of all. Every battle that is fought is a battle for the freedom of every State; and if by massing large bodies of troops, we can avert invasion from any one State, or portions of a State, we shall have done well.

I well recollect that many persons questioned the policy of a man leaving Texas to engage in this war and many believed it could be brought to a successful termination without doing so. Efforts were made to retain within the State those loved, departed and surviving heroes of the 1st, 4th and 5th Texas Regiments, known as Hood's Brigade; a corps whose gallant conduct on every battle field has done so much to crown our arms with victory, and confer luster upon the Texas name. Since that time, Texas has placed in the field near seventy Regiments of as good and true men as ever drew sword or shouldered rifle in defense of liberty against tyranny.

"From accurate data, Texas has furnished to the Confederate States' Military service: thirty-three Cavalry and nineteen Infantry Regiments; thirty of which (21 Cavalry and 9 Infantry) have been organized since the requisition of February 3, 1862, for fifteen Regiments, this being the quota required from Texas to make her quota equal to the quotas from other States; besides of *Cavalry:* 13 Battalions; 2 Squadrons; 6 Detached Companies; 1 Legion of 12 Companies; *Infantry:* 2 Battalions; 1 Company Unattached; 1 Legion of two Battalions, and 1 Light Battery, and of *Artillery:* 1 Regiment; 11 Light Batteries, making sixty-two thousand men; which, with the State troops in actual service, viz: six thousand five hundred men, form an aggregate of sixty-eight thousand five hundred Texans in Military service; constituting an excess of four thousand seven hundred and seventy-three more than her highest popular vote, which was sixty-three thousand seven hundred and twenty-seven. From the best information within reach of this Department, upon which to base an estimate of the men now remaining in the State between the ages of sixteen and sixty years, it is thought that the number will not exceed twenty-seven thousand."

When the history of this war shall be written, the name of Texas and her sons will stand forth conspicuous as among the most brave, generous and chivalrous of any people in ancient or modern times. In sending her sons beyond her own borders, our State did well, and I believe our immediate good has resulted therefrom; for, had they been held back for the protection of their own State, the enemy could have spared troops from other points and thrown them upon our soil. To me it is plain, that if by sending our men to Virginia, Tennessee, Mississippi, Arkansas, or any other distant point, we keep the enemy from our own doors, we are greatly the gainers.

I am far from counselling the leaving of any State, more particularly our own, in a defenseless condition; nevertheless, I believe it to be the part of wisdom to meet the enemy wherever he masses his men; and should any State, for a time, be occupied by the enemy, it is preferable to dividing and scattering our grand and efficient armies. Scatter that veteran and glorious army, that has so long and nobly fought the battles of the Confederacy on Virginia's sacred, blood-stained soil, for the protection of every point threatened; and how long, think you, it would be before the hirelings and myrmidons of Lincoln would press on, in irresistible strength, into North and South Carolina, transferring the bloody ground to those States? Each battle fought in Virginia, Tennessee, Mississippi or Arkansas, is a battle for the freedom of Texas; consequently, when called upon by our President, and those great Generals who have thus far conducted us victoriously, for additional assistance, let us do all that in us lies to respond to the appeal, and thereby hurl destruction upon our merciless and hated foe.

COAST GUARDS.

In the month of March, 1862, anticipating an invasion of the State, and the Confederate Government having ordered all of the available troops to leave the coast, I deemed it advisable to organize a small force to act as scouts and spies in the counties bordering on the Gulf and accessible streams. I authorized the Brigadier Generals of certain Brigades, to organize in each of such counties, a Company of 25 men, to be sworn in for the war, to furnish their own horses, arms and subsistence; they were to be at all times subject to the control of the Brigadier Generals; they were, when necessary, to aid in driving the stock of the citizens beyond the reach of the enemy—to see that negroes and other property of the people, did not fall into the hands of the blockaders—and, generally, to perform such duty as the Brigadier Generals might require of them. They were to receive no pay from the State; the only immunity awarded them was relief from all other

Military duty. I considered it a good and necessary arrangement for the State.

Some complaints have been made that these Companies were useless, and should be forced into the army. I know that several of them have rendered valuable service. The Confederate officers, with my consent, have employed some of these Companies, as they inform me, to great advantage. They have at all times been ready to perform any service, when called upon by Confederate officers. In justice to the men composing this organization, I will state that they were sworn into service long before the passage of the Conscript laws. It cannot, therefore, be charged that they sought this service to avoid Conscription.

MEETING OF THE GOVERNORS OF THE CONFEDERATE STATES, WEST OF THE MISSISSIPPI RIVER, AT MARSHALL, TEXAS.

In July last, the Mississippi River being virtually in possession of the enemy, and the impression being entertained, in some quarters, outside of Texas, that the Confederate Authorities were neglecting and abandoning the portion of the Confederacy West of that river; believing such impression to be unjust, and that the Confederate Government neither intended or desired to neglect the Trans-Mississippi States; and that any apparent want of attention to our necessities had arisen from its inability, at the time, to guard against it; I invited the Governors of the States of Louisiana, Arkansas, and Missouri, (representing the States West of the Mississippi) to meet me at Marshall, Texas; and, after consultation, from that place make known to the President the true condition of the country, and submit, for his consideration, such plan as we should deem most efficacious in securing the interests of those States. The Executive of Arkansas was prevented from attending by illness in his family, and Gov. Moore, of Louisiana, by reason of the invasion of that State. I, however, had the honor and gratification of meeting Gov. Claibourne F. Jackson, of Missouri, than whom no more zealous, indefatigable, and true-hearted patriot existed. God, in his inscrutible Providence has since called him from his sphere of usefulness,—and while we bow with submission to the Divine decree, we cannot but mourn his loss.

Governor Jackson and myself prepared the necessary papers—forwarded them to Governors Moore and Rector, who most fully endorsed all we had done, and affixed their signatures to the papers, which, in due time, were delivered to President Davis by our esteemed fellow-citizen Maj. Guy M. Bryan, then an Aid-de-Camp to Gen. P. O. Hebert, and to whom, in all this business, much is due for any good that may have resulted from our consultation.

I believe that the objects sought to be attained by us were accomplished. That it was satisfactory in its results to the President, and our Members of Congress, I have the evidence in the Executive Office.

I have the honor to lay before you the papers connected with this meeting.

THE SURRENDER OF GALVESTON.

Much has been said and written in regard to the surrender of Galveston; censure has, in some instances, been liberally bestowed upon the Executive in connection therewith. I can only say, that when the first threat was made by the enemy against the city, I advised and urged determined resistance. On the 7th day of March last, when I heard the order had been received by the Commanding General from the War Department to send our disciplined troops out of the State; abandon the coast, and discharge the twelve months' men; I remonstrated, and the Commanding General most willingly suspended the execution of the order, until I could forward a protest to the War Department, which I did by Special Messenger. In that protest I declared that "having been informed that it may be your purpose to dis-"band all of the troops now in the field for a less time than the war; and

"being well aware that, if they be so disbanded, our State would be in a most "helpless condition. I most solemnly protest against such action until I can "communicate with the War Department at Richmond on the subject, or "raise a competent and adequate force to protect the State against invasion "or marauding parties of the enemy.

"I shall send a messenger immediately to Richmond, as I cannot believe it "to be the intention of the War Department to leave Texas entirely to her "own resources of defense, when she has faithfully endeavored to carry out "her obligations to the Confederacy, both in furnishing men and money to "carry on the war."

The War Department yielded the point so far as the disbanding of the twelve months' men was concerned; but, in a short time thereafter, moved many of the troops to the Mississippi. On the 7th Dec., 1861, I used the following language relative to the defense of Galveston:

"I am very clearly of the opinion, that every effort should be made to pre- "vent the enemy from effecting a landing; and I can imagine that, with a "strong and well-directed effort, they may be driven off entirely, or much "crippled in their attempt to make the land."

"Another important fact is, that if the enemy is permitted to capture the "City of Galveston without a fight, and a severe one at that, the consequence "would be the most gloomy: it would dispirit the people from one end of the "State to the other."

It was my conviction, until a very short time before its surrender, that Galveston would be vigorously and obstinately defended by the Confederate General.

The State had not a soldier in the field, and did not control a single piece of ordnance suitable to its defense. I desire to cast blame upon no one. I will, however, say, that with my consent, it would never have been surrendered to a naval force destitute of the means of occupying it. I am opposed to the surrender of any place to a fleet, even of iron-clads, unless operating in conjunction with an adequate land force: it would be fighting the enemy with too great odds in his favor. With his powerful navy and immense mercantile marine,—were sea-port towns yielded to a fleet alone; he could hold in subjection all of our coast and river towns with a handful of men; and, with a single gun-boat, occupy the attention of thousands of our troops. Such being my views, you can sympathize with the mortification with which I was overwhelmed on learning that our Island City was yielded to a squadron destitute of the means of occupying its conquest. Proportionate was the joy and exultation felt by me on learning that our gallant men at Corpus Christi and La Vaca had refused to surrender to the insolent summons of an insufficient force, and by their firm attitude had repelled him with disgrace. I was for resistance at Galveston, as I am in favor of contesting every inch of Southern soil, and defending every place in the Confederacy.

From the moment of the surrender of the City, I have urged its re-capture continuously; of which many officers and citizens are well aware.

I claim no credit for the great and chivalrous deeds of our brave and noble troops, so conspicuously displayed in the re-capture of the City. I can, however, claim that the distinguished General now in command of this military District, disclosed to me his plans as the Executive of the State; and that I encouraged and promoted the enterprise in every way in my power; and no heart, within the broad limits of the Confederacy, beats with more pleasure, and glows with more pride, at the halo of glory that will ever encircle the brows of those heroes, whose matchless intrepidity on that occasion, on sea as on land, has secured them imperishable renown.

On the 29th November last, so soon as the arrival of General Magruder

was known to me, I addressed my friend, Col. X. B. De Bray, commanding Sub. Mil. Dist. of Houston, from which I take the following extract:

"COLONEL:—Can we not do something at Galveston? If you could de-
"vise a plan whereby we could drive these fellows from the wharves of Gal-
"veston, and re-occupy the place with the sanction of General Magruder, it
"would make you both a name, and do much to raise the spirits of our people.
"I will most cheerfully co-operate with you in such an undertaking, and
"will accompany you in any expedition you may get up for such a purpose.
"I think, if it is possible, we should re-possess ourselves of the place; and,
"in the language of the Georgia Legislature as to Savannah, defend it street
"by street, and house by house."

OUR SOLDIERS IN THE C. S. PROVISIONAL ARMY, BEYOND THE LIMITS OF THE STATE.

I have shown your Honorable Body, in a previous part of the Message, the very large number of men we have in the service.

A majority of our best, most patriotic, and substantial citizens are in the Provisional Army of the Confederate States. These citizens are all absent in obedience to the call of patriotism, and the mandate of the Supreme Law of the land: in obedience to that same law, they cannot return at their own volition. Most certainly, leaving, as they do, behind them, their families and property, they are equally, if not more interested, than those remaining at home, in the proper and PATRIOTIC administration of the Government.

Our Government, recognizing the right of the majority to govern, the fact is exhibited, for the first time in our history, of a majority of our qualified electors being beyond the limits of the State. The question arises, should they, absent as they are in accordance with the laws of the land, and unable to return, be deprived of the rights of suffrage? Do they forfeit the rights of citizenship, because they are absent battling for the common good? Can they be disfranchised, and the Government given up to the minority? My opinion is, they should be protected in all their rights of citizenship by the Legislature of the State.

I therefore recommend that a law be passed, with proper restrictions, giving to the soldiers of the State in the Provisional Army of the Confederacy, beyond its limits, but being otherwise qualified electors, the right to vote in all general elections during the war.

LUNATIC ASYLUM.

In consequence of the immense advance in the prices of every article of consumption, and the very low price paid for patients by the Counties, an additional appropriation will become necessary to sustain this Institution.

The Institution is only authorized under the law to charge the County patients two dollars per week. This would not, in times of peace and plenty, support a patient, and at present pays but a small portion of the expense. The rate of board should be increased.

REPORTS OF THE SECRETARY OF STATE.

Permit me to call your attention to the Reports of the Secretary of State. Many valuable suggestions are made by that officer, which I trust will meet with your approbation.

STATE FINANCES.

There was received into the Treasury, on account of State Revenue, from the 1st day of July, 1862, to Dec. 31st, 1862,

To amount on hand January 1st, 1862,	$ 13,366,67
From 9-10 State Taxes, Licenses, &c.,	346,305,39
" Sale of Land Scrip,	28,138,29
" Sale of State Bonds,	183,995,07

From Financial Agent of Penitentiary, - - - - -	$ 148,278,88
" Other Sources, - - - - - - - - - -	28,495,78
	749,080,08
Amount disbursed during same time, - - - - -	746,597,80
Leaving balance on hand, Jan. 1, 1863, - - - - -	$2,482,28

The Military Board have sold 460 State Bonds, of $1000 each, from which they realized $476,422-60-100, of which amount, as above stated, they paid to account of State revenue, $183,995,07, leaving them properly chargeable with $292,427,53.

Under the law to regulate and authorize funding in State Bonds, approved 13th Jan., 1862, amount funded, $196,000, making in all of loan-bonds disposed of 656; 210 bonds remain to the credit of the Military Board to meet contracts made, and future liabilities growing out of contracts.

There has been disbursed from the Treasury in payment of liabilities on Military account incurred prior to Jan. 1, 1862. $837,452,52. Upon liabilities since 1st Jan., 1862, to Dec. 31st, 1862, $509,535,46.

There has been expended on Civil account during the same period, including $55,026,84, on account of the Ninth Legislature, - - - - - - - - - -	$ 267,911,25
The outstanding liabilities of the State, 1st Jan. 1863, are in 8 per cent. Bonds, - - - - - - - - -	656,000,00
In 10 per cent. int. Warrants, - - - - - - -	135,000,00
In Treasury Warrants without interest, - - - -	888,875,72
	$1,679,875,92
Estimated amount of unaudited claims for Military services prior to Jan. 1st, 1862, - - - - - - - -	$ 150,000,00
For Frontier Regiment, - - - - - - - - -	350,000,00
	$2,179,875,72

Of this amount, about $1,000,000 is in payment of debts and Military services incurred prior to 1st Jan. 1862.

It will also be borne in mind that the claims of the State against the Confederate Government, will not vary far from the entire indebtedness of the State.

From the increased demands likely to be made upon the Treasury, the facility with which our citizens can procure the means to pay their taxes, and the importance of reducing State liabilities as rapidly as possible, thereby appreciating the balance, I feel no hesitation in recommending an immediate increase of the tax to one-half of one per cent., exclusive of the loan tax.

The receipts likely to come into the Treasury during the year, arising from the present rate of taxation, and other ordinary sources, will amount to about $500,000, $300,000 of which will be required for the support of the civil Government, leaving only $200,000 for the redemption of unpaid Treasury Warrants, the protection of the Frontier, and the general defense of the State. A tax of one-half of one per cent. would yield $1,000,000 revenue, which would soon relieve the State from financial embarrassment.

The amount of the special specie tax assessed for 1861 amounted to $112,-302,30, of which sum there has been paid into the Treasury $90,491,65, being almost as large a per centage as the amount collected in currency.

The fact of the State having pledged her faith to pay the interest on her loan-bonds semi-annually in specie, has caused these bonds to be much sought after, and the Board appointed for that purpose could long since, have dis-

posed of the entire amount authorized by law. The Board have, however, preferred to use them only as the necessities of the Treasury required it, thus saving a large amount of interest to the State. I trust the Legislature will not disturb the position which this loan occupies to our people as our citizens readily responded to our wants, and invested their means when solicited in these bonds, relying upon the punctual payment of the interest in specie.

There is now in the Treasury a sufficient sum to meet the interest on the entire million of bonds for one year, and I believe there will be a sufficient amount collected to meet the interest as it becomes due. But to guard against any contingency, I trust the Legislature will empower the Comptroller and Treasurer to make such arrangements as will secure a sufficient amount of specie to place it beyond doubt. It can be done very easily, and our faith kept and our credit sustained.

We know not what a few months may bring forth. The necessities of our country may require us to raise large sums to defend the State. Let us then, do nothing likely to impair our credit; and, when called upon, rest assured our citizens will respond with their last dollar.

I most respectfully suggest, that the law authorizing the funding of State Warrants in the present loan bonds be immediately repealed. The amount of Warrants presented for funding is increasing daily and the fact of our State bonds bearing specie interest, causes them to be in greater demand for funding than the bonds of the Confederacy. In the present condition of the country and of the currency, I think 8 per cent. interest on a State debt too high, and should you deem it best to continue the funding of State liabilities, I would recommend that bonds be issued expressly for that purpose, and that they bear 6 per cent. interest.

By an Act passed at the last regular session of your Honorable Body, Confederate Treasury Notes received into the Treasury can only be paid out for Military purposes. I presume the object of the law was, to secure the most available means for Military objects. The facts now show that the State Warrants are more appreciated than the Confederate Notes: hence, I would respectfully suggest, that the law be repealed, and that Coufederate Notes be paid out as other funds, for all purposes, because the revenue is principally collected in those Notes, and there may be times when they are not required for Military purposes, and would save the drawing of large amounts of Warrants, thereby lessening the amount of State liabilities. There can certainly result no injury to the State from this course.

I believe that, by pursuing the course indicated, there will be no necessity to put in the market before the regular session of the Legislature, an additional number of bonds over the amount now authorized to be sold.

At the last session of your Honorable Body, the 16th Section of the Tax Law was amended so as to postpone the forced collection of Taxes until the 1st day of August, succeeding the return of Assessment Rolls, &c. At that time there was great scarcity of money in the country, and it was done to give time to put money in circulation. This delay postpones all settlement with the Assessors and Collectors until after the fiscal year, which ends in August, and causes much confusion in closing accounts in the Comptroller's office. As there is no longer any necessity for such postponement, I respectfully suggest the repeal of the amendment.

It was made the duty of the Executive to present to the Confederate Government for settlement all claims of the State against that Government. The Comptroller has been adjusting and paying off, all claims properly chargeable to the Confederate Government, preparing the necessary vouchers to sustain the claims, &c.

It is expected the accounts will very soon be ready for presentation and adjustment.

I am not advised that any appropriation has been made to liquidate this class of claims.

I respectfully recommend that all soldiers from the State in the Confederate service, whose property amounts to less than $5,000, be relieved from the payment of the Poll Tax during the time they remain in the army.

Also, that a reasonable amount of their property be exempted from taxation, and that the property of no soldier, while he is in the service of the Confederate States, shall be sold for taxes.

PUBLIC LANDS.

Let me suggest the policy of withdrawing from sale, except to actual settlers, all Public Lands, until peace is restored.

THE ESTRAY LAW.

I beg leave to call your attention to the Law regulating Estrays; it should either be repealed entirely, or amended. I have reason to believe that it is very much abused; and that the stock of parties absent in the service is being preyed upon under its operation. I am of opinion that no stock should be estrayed during the war, unless it be established that by its running at large, it works an injury to the property of the party proposing to estray the animal or animals.

RECONSTRUCTION.

The people of the North and some few deluded fanatics in our own section, entertain the opinion that the Old Union can be reconstructed. To me, and I hope to every other true Southern man, the idea must be shocking and revolting. God forbid that our noble land, purified, redeemed from Northern rule and corruption by the fire of a hundred battle-fields; re baptized in the blood of our noblest sons, should be doomed to such a fate. The safety, purity and virtue of our political and social system, are to be maintained alone in their integrity by a rigid exclusion, now and forever, of all abolition or Yankee communities. The admission of a single free State, like the one dead fly in the precious cup of ointment, will corrupt and vitiate the whole mass. I am of the opinion, therefore, that the Confederate Constitution should be so amended as to exclude any State from becoming a member of the Confederacy that does not allow and protect negro slavery among its people—and that any State belonging to the Confederacy that shall abolish the institution of negro slavery within its borders shall, *ipso-facto*, cease to be a member thereof.

I would recommend an expression of opinion from your Honorable Body upon this vital question; for it does not require the eye of a prophet to foresee that some of the Western States, baffled in their hellish attempts to subjugate our proud and noble people, and guided by their lust of gain, will revolt from their Eastern Masters, and beg to be admitted as members of our Confederacy.

APPROPRIATIONS FOR MILITARY CONTINGENCIES.

I would respectfully recommend, that ample appropriations for all Military Contingencies be made. They would, of course, only be used in case of great and pressing necessity.

It is a matter of great economy for the Government, at all times, to pay for what is required in cash.

SPECIAL TERMS OF THE DISTRICT COURTS FOR THE TRIAL OF CRIMINAL CAUSES.

In the present condition of the country, there is but little doing in our Courts beyond the trial of criminals, which can only be done by our District Courts every six months.

I believe were the Legislatures to authorize the Judges of the District Courts to hold special Terms, or Quarterly Courts for the trial of all Criminal Causes after Indictment found, it would have a very beneficial effect at this

time. The citizens would not be so likely to take the law into their own hands, which, I regret to say, has been done on several occasions within the last few months.

CONCLUSION.

I cannot but congratulate you, Gentlemen, on the general prosperity and health of our State. I feel that we are greatly indebted to Divine Providence for the privilege we this day enjoy, in being permitted to assemble in our own State, and at our own Capitol, unharmed and unmolested, to transact the public business entrusted to us by a confiding Constituency. Several of our sister-States, I deeply regret to say, do not enjoy the same immunity.

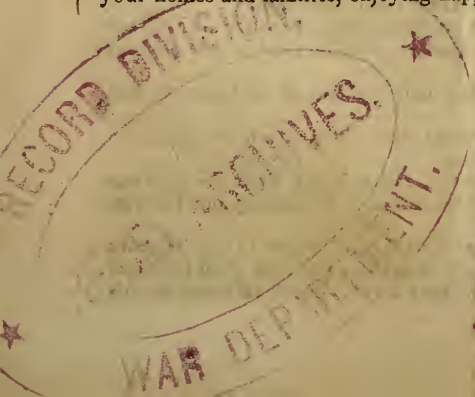
The Old Year closed brightly for us, and the New Year opened most propitiously. Let us be hopeful, watchful, prayerful—let each and every one of us determine to forget self, and by precept and example encourage every man in the broad land to devote himself, his means and his abilities, to the service of his country! Let us give to our Government, the Government of our choice and of our affection, an earnest support! Let us sustain and cherish that Patriot—Warrior—Statesman—whom we unanimously, and with one accord selected to preside over our destinies, and to guide our Ship of State through the turbulent Sea of Revolution—who, by his ability, energy, and devoted assiduity to the welfare of the country and interests of the people, deserves a Nation's gratitude! Let us with heart and soul resolve to rally around those brave and gallant Captains who daily lead our invincible and unconquerable armies to victory! Let us continue to fill up their ranks upon their demand, should it take our last man and our last dollar, looking neither to Foreign Nations or the corrupt Democracy of the North for aid! Depending alone upon God, our strong arms and brave hearts, victory will soon perch upon every banner, and an honorable peace be conquered!

And now, gentlemen, it may not be unfit for me to declare, that it is not my intention to seek a re-election to the position I now occupy. Constantly, strenuously and to the best of my ability, have I attempted to perform the duties growing out of my position; with what success my official record must determine. I must obey the impulses of my own heart, and they counsel me to join the ranks of our chivalrous soldiers now battling and dying for our independence. I feel that one who has done as much as myself to inaugurate the present momentous and sanguinary struggle, should take a greater part than has hitherto been allotted to my share, in its dangers, privations and hardships.

Permit me to say, that I trust your stay at the Capitol will be pleasant—that harmony may prevail in your counsels and deliberations, and great good result to the country from your action.

Having performed your necessary labors, I trust you may safely return to your homes and families, enjoying happiness and prosperity.

F. R. LUBBOCK.



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